

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

IN RE COLUMBIA UNIVERSITY  
PATENT LITIGATION

MDL No. 1592 (MLW)

This Document Relates To All Actions

**UNOPPOSED MOTION FOR LEAVE TO FILE A REPLY  
MEMORANDUM OF LAW IN SUPPORT OF COLUMBIA  
UNIVERSITY'S MOTION TO STAY LITIGATION PENDING  
CONCLUSION OF REEXAMINATION AND REISSUE  
PROCEEDINGS IN THE PATENT AND TRADEMARK OFFICE**

Pursuant to Local Rule 7.1(b)(3), Defendant The Trustees of Columbia University in the City of New York ("Columbia") hereby moves for leave to file a Reply Memorandum in further support of its Motion to Stay this litigation. The proposed Reply is submitted for filing herewith. None of the other parties to this consolidated proceeding opposes this motion. In support of this motion, Columbia states as follows:

1. The Reply will clarify the relevant issues in this motion.
2. The Reply attaches relevant portions of Columbia's reissue application for U.S. Patent No. 6,455,275, which plaintiffs have requested. These portions of the reissue application are being shipped for concurrent filing with the Patent and Trademark Office today, June 18, 2004.

WHEREFORE, Columbia respectfully requests that the Court grant Columbia leave to file the Reply, which is submitted herewith.

Respectfully submitted,

THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW  
YORK

By its attorneys,

/s/ David I.Gindler

Morgan Chu  
David I. Gindler  
Jason G. Sheasby  
Irell & Manella LLP  
1800 Ave of the Stars, Suite 900  
Los Angeles, CA 90067  
(310) 277-1010  
(310) 203-7199 (fax)

/s/ Wayne M. Barsky

Wayne M. Barsky  
Kevin S. Rosen  
Gibson, Dunn & Crutcher LLP  
2029 Century Park East  
Los Angeles, California  
90067-3026  
(310) 552-8500  
(310) 551-8741 (fax)

Thomas F. Maffei (BBO # 313220)  
Scott McConchie (BBO # 634127)  
Griesinger, Tighe & Maffei, LLP  
176 Federal Street  
Boston, MA 02210-2600  
(617) 542-9900  
(617) 542-0900 (fax)

DATED: June 18, 2004

**Rule 7.1 Certificate**

Pursuant to Local Rule 7.1(A)(2), I hereby certify that counsel for Columbia has conferred with counsel for all other parties to this consolidated proceeding, and they do not oppose this motion.

/s/ David I. Gindler  
David I. Gindler

s/ Wayne M. Barsky  
Wayne M. Barsky